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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA (LAS VEGAS)**

PAUL LEWIS BROWNING, Plaintiff, v. LAS VEGAS METROPOLITAN POLICE DEPARTMENT <i>et al.</i> , Defendants.	Case No. 2:20-CV-01381-KJD-VCF Hon. Kent J. Dawson Hon. Cam Ferenbach STIPULATION AND PROPOSED ORDER EXTENDING DISCOVERY AND CASE DEADLINES (First Request)
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COMES NOW Plaintiff, Bettie Browning, Administrator of the Estate of Paul Browning, and Defendants, by and through their respective undersigned counsel, hereby stipulate and agree that the discovery schedule set out in the Scheduling order (Dkt. 33), should be extended as follows:

1 1. This is the parties' first request of the Discovery Schedule.

2 2. The same undersigned counsel have been actively litigating *Lobato v.*
3 *Las Vegas Metropolitan Police Department*, 19CV1273-RFB-EJY (D. Nevada), where
4 extensive written and oral discovery has just completed, as well as *Farah v. Las*
5 *Vegas Metropolitan Police Department*, 20CV604-RFB-VCF (D. Nevada), which
6 remains in the midst of active discovery.

7 3. Plaintiff was diligent in seeking service of the Individually-named
8 defendants; a process that proved difficult, as some are deceased. *See* Dkts, 27, 28,
9 29 & 30.

10 4. Due to several personal/family issues for Plaintiff's counsel, other
11 litigation, and complications due to the COVID-19 pandemic for Plaintiff's counsel
12 (including the need to travel hours in-person to obtain approximately 40-50 boxes of
13 documents from Plaintiff's prior defense counsel), significant discovery in this
14 matter has yet to be completed. Defense counsel has accommodated Plaintiff's
15 counsel's requests for additional time to pursue discovery.

16 5. This Court entered a Discovery Plan and Scheduling Order on
17 December 22, 2020. Dkt. 33.

18 6. Significant discovery in this matter—which concerns Plaintiff's
19 conviction for crimes of which he spent more than 30 years imprisoned on death
20 row—were acquiring documents from defense counsel. Given the nature of capital
21 litigation, and the extensive post-conviction proceedings, these records were
22 voluminous, though Plaintiff's counsel worked to obtain them (pandemic
23 notwithstanding) in the fall and winter of 2020 into January 2021.

24 7. Tragically, soon after discovery was set to begin in earnest—and
25 Plaintiff's counsel had finally acquired the aforementioned boxes in February
26 2021—Paul Browning passed away in North Carolina on March 23, 2021.

27 8. Thereafter, Plaintiff's counsel set out the process of establishing a
28 state and having an administrator appointed; a process slowed by the fact that the

1 North Carolina probate court was still unopen due to the pandemic in March of
2 2021.

3 9. On June 2, 2021, Bettie Browning was named administrator of the
4 Estate of Plaintiff Paul Lewis Browning, and a notification of Plaintiff's Death and
5 Motion seeking substitution of Plaintiff were filed on June 9, 2021.

6 10. For these reasons, the parties agree that good cause exists to
7 substantially extend all of the deadlines in this matter as follows:

8 **Discovery Cutoff:** from August 16, 2021 to February 16, 2022

9 **Deadline for amending pleadings or adding parties:** May 18, 2021 to
10 August 18, 2021 December 20, 2021

11 **Dates for complete disclosure of expert discovery:** initial disclosures 60
12 days before the discovery cutoff, and rebuttal experts 30 days after the initial
13 disclosures. January 19, 2022

14 **Deadline for the filing of dispositive motions:** 30 days after the
15 discovery cut-off, March 18, 2022.

16 **Joint pretrial order:** 30 days after the dispositive motion deadline, or April
17 17, 2022, though, pursuant to local rule, if a dispositive motion is filed, a joint
18 pretrial order is due within 30 days if this Court's ruling on such a motion.

19
20 Respectfully submitted,

21 **Loevy & Loevy**
22 /s/ David B. Owens
23 Attorney for Plaintiff Paul Browning

24 IT IS SO ORDERED.

25 
26 _____
27 Cam Ferenbach
28 United States Magistrate Judge

Marquis Aurbach Coffing
/s/ Craig R. Anderson
Bar No.: 6882
Attorney for Defendants and
Defendants Las Vegas Metropolitan
Police Department, Horn, Radcliffe,
Branon, Jolley, Bunker, and Leonard

Dated: June 14, 2021

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Certificate of Service

14 I, David B. Owens, an attorney, certify the foregoing was filed on June 11,
15 2021 via the Court's electronic filing system, which effected service on all counsel of
16 record.

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18 /s/ David B. Owens
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